

Date: 5/20/05

To: Arthur Neal, National Organic Program  
Room 4008 - South Building  
1400 and Independence Ave, SW  
Washington, DC 20250-0001

Re: Comments on NOSB pasture guidance document  
From: David Engel, Executive Director  
Midwest Organic Services Association

Dear Mr. Neal,

The Midwest Organic Services Association (MOSA) currently certifies over 290 dairy farms in Iowa, Illinois, Michigan, Minnesota, Nebraska and Wisconsin.

We would like to offer the following comments concerning the NOSB's proposed guidance document language. We understand that, in particular, the NOSB seeks input on: **the specific dry matter intake from pasture language; reference to regional NRCS prescribed grazing standards; and whether or not any of the text in the guidance document should be recommended to the NOP for rule change.**

An Executive Summary of MOSA's response to these three specific items is:

- 1) We do not support any language referring to specific dry matter intake from pasture. The October, 2001, NOSB guidance document is satisfactory.
- 2) We feel the NRCS prescribed grazing standards could be a useful tool for producers and certification agencies to use in addressing and formulating a farm plan.
- 3) A rule change based on any of the text in the proposed pasture guidance document is NOT necessary.

We recently completed a survey of our dairy farms on this issue of pasturing, with a response rate of about 35%. The respondents fell into two groups: one group who could/does meet the proposed dry matter intake from pasture (30% for 120 days, hereafter referred to as "the numbers"), and one group who could not or does not or who have concerns about various aspects of meeting the numbers.

There were 99 respondents to our survey, whose farms ranged in size from 12 cows to 450 cows. Only 30 herds were over 50 cows, and of those 30 only 8 were over 100. The average herd size of all 99 respondents was 58 cows. The average herd size without the 8 larger herds was 44 cows.

Of the 99 respondents, 57 fell in the first group and 42 fell in the second group. We note that this represents an approximate percentage of 57.5% and 42.5%, respectively, of farmers who could/do meet the numbers in the proposed guidance document language and of farmers who could not or do not meet or have reservations about meeting the numbers. While the majority of MOSA's dairy farmers (57.5%) do support the numbers in the proposed guidance document, we feel the 42.5% percentage figure represents a significant and unheard-from-as-yet constituency. In other words, those who can/do meet the numbers can and will and should meet the numbers, but those who do not and yet are good organic dairy operations--no factory farms, all of them have a substantial grazing component to their operations--should not be penalized or affected negatively by the numbers.

Since MOSA is, we feel, correctly and appropriately applying the current language in the rule AND observing the current language in the NOSB's guidance document from October, 2001, we do not feel there is a need to make any changes at this time to either the rule or the guidance document. Given the concerns expressed over the past year about large farms being certified without access to pasture, it would appear that some certifiers are not interpreting the current rule or the current guidance document appropriately or correctly. **We do not feel the rule or any guidance document should be used to limit the size of any organic operation. We do feel that the certification agencies must and can interpret the rule in a similar manner, and in doing so, farms of any size cannot be organically certified without access to pasture per a farm plan.** MOSA has been able to accomplish this on almost 300 farms ranging in size from few to many. All certifiers should be able to accomplish this.

The current rule and guidance document can serve both those who want to meet specific numbers and those who cannot meet specific numbers. To change the rule or guidance document to make someone meet specific numbers will and or could, based on our survey results, negatively affect approximately 42.5% of dairy farmers in the Midwest, at least.

I am attaching below a list of the comments from the 42 producers in our statistically significant second group who have reservations about the numbers in the proposed guidance document, and upon which comments MOSA bases and feels strongly that the numbers approach is not a good approach, per our Executive Summary above.

An Executive Summary of these comments is:

- 1) concern about 'conditions beyond their control', ie, drought, cold, wetness, etc, resulting in their falling below the numbers

- 2) concern that numbers are not a good way to approach applying the rule, as there are many different kinds of farms and numbers are restrictive, ie, all farms would have to meet the numbers and some very good, small organic farms might not meet the numbers
- 3) concern that land is not available to meet the numbers
- 4) concern that devoting land to pasture will require them to buy prohibitively expensive feedstuffs elsewhere
- 5) concern that not raising their own feed is not sustainable
- 6) concern that buying a lot of their feed is not sustainable
- 7) concern that numbers will 'paint us in a corner' and that flexibility is needed, as in the present rule and guidance document
- 8) concern that the numbers approach does not reflect the full picture of a good organic dairy farm.

Again, MOSA is upholding the spirit and intent of the current rule and the October, 2001, guidance document. Our comments are meant to provide two things:

- a) a voice for a statistically significant group of dairy farmers who are good organic dairy farmers, whose average herd size is 44-58, who graze their animals and who are currently in compliance with the current rule and NOSB guidance document from October, 2001, and yet whose organic dairy farming efforts will be jeopardized by the numbers as stated in the proposed NOSB guidance document; and,
- b) a request that the NOP, via the accreditation process, require certifiers to uphold the current rule regarding access to pasture and the NOSB's October, 2001, pasture guidance document.

If you have any further questions that we can help you with, or if you would like feedback on any points of dairying or grazing, please do not hesitate to call or write.

Thank you.

Respectfully,

David Engel, ED  
MOSA

Individual dairy farmer comments concerning the NOSB's proposed guidance document language

- *I am not in favor of making the guidance proposal as part of the rule. We have always strived to provide adequate pasture, however, when conditions beyond our control, such as too wet, too dry, too cold and so forth happen, it is necessary to supplement forage with either green chop or stored feed or adding additional hay fields, if available.....I am also not in favor of the reasoning for putting specific numbers in the rule, that being to keep "corporate factory farms" out. If large farms are getting around the current rule the way it is, it isn't going to do any good to make it more strict. They will still find a way to get around it. This is a problem for their certifier. Also, if you target one group or size farm for a particular reason, the next time it will be your size farm which is targeted for some other reason. I think the way MOSA is doing it now is the right way and the way to continue.*
- *I feel that making more rules and regs to keep a specific group of farmers under control places more burdens on all of us.*
- *Every time we turn around, organics tightens the noose. Bio-cal was an excellent product which enhanced our soil and also our herd health. If someone asks us about going organic, we would not recommend it, too many changing of the rules and the paperwork seems to have gone from being a foothill to becoming a mountain. We believe in what we do, but when we can survive farming without the premiums, we would go back to farming biologically, which was a lot less stressful.*
- *I feel that I am able to grow very good organic crops that I harvest and store to feed my animals. I did not become organic to be a rotational grazer. I became organic to feed healthy crops to healthy organic animals that produce a healthy product for a consumer that is wanting a quality/healthy food.*
- *I also have to green chop to the pasture and dry bales of hay for the following reasons:*
  - 1) *I have heavy red clay soil and when there are heavy rains I have to give them less pasture, or else they will root it all up.*
  - 2) *some of my land is rented. It is located away from my main farm.*
- *Adding additional land has strapped us labor-wise. We went organic to stay small and within our means. We have felt pressured to comply and have added land to accomplish this. This will mean adding some part-time help to supplement out husband, wife and 3 young children farming family.*
- *I do not think there should be a number of head/acre, but I do think access should be monitored by certification organizations to be sufficient.*

- If I were to meet all requirements, more corn ground would have to be converted to pasture which means that organic would become unfeasible for me.
- Every farm is different, so how can one ruling fit them all? Pastures are better on some farms or poorer on others. Every situation is different on all farms. You hardly can put a number on pastures when 1 acre on one farm can out produce 3 acres on another.
- I believe that if the cattle have access to outdoors for a few hours, this should be good. Organic feed should be good for them whether stored or grazed.
- I and several others I know probably would meet the guidance, but not on a daily basis, and I do not want to keep track of numbers every day, and if I don't meet the numbers some day, then what, tell my certifier, tell my inspector, tell my kids? Farms doing a good job without chemicals with access to pasture is good enough. Make the certifiers enforce it.
- All this would be unnecessary if all the certifying agencies would get together and interpret the rules the same way. Of course, they would also need to have a way of policing themselves.
- I feel that grazing pasture should be monitored by the certification agency, not the government.
- Up here in the Midwest we try to raise almost all our own feed except protein. This is fairly sustainable. Forcing us to add acres to pasture to comply with one standard does not move us closer to self-sustainability. Some advocate this is a good position regarding pasturing, but then are buying most of their feed. They produce milk and manure. Thus the nutrient cycle is lost and dependent on mined minerals. Milk should be produced where the feed is.
- I have one concern: during growing season, if there would be a drought and the pasture dries up, would I then be decertified? I suggest there should be an exemption from 30% dry matter intake of pasture if there is a drought.
- I realize a pasture requirement is necessary, but I feel the current standard is adequate. I fear a more restrictive standard will discourage others from transitioning to organic dairy.
- As long as we do not have to stop supplementing, the new rule change is fine. Specific numbers are harder to make.
- Numbers are not needed.
- I feel it is important to have your cows out on pasture. But if there's not enough land, I think you should be allowed to feed forage to the extent of whatever is needed.
- Our herd is increasing to provide income for sons returning to the farm. We may have trouble in the future because our land is not in one place.
- I think grazing/pasture in organic dairying is the (only?) way to really keep costs down and make a living. Buying a lot of feed or even green chopping is very expensive, especially with the increasing cost of fuel. Pasture should be encouraged and cattle numbers meet the productivity or particulars of the land. Exceptions should be available, though, for those conditions and farms that need it. We don't want to paint ourselves in a corner and be too strict. We must have the best intentions and expect honesty, but strange things happen in which we need exceptions. For example, we have a grazing plan with our county NRCS, with a goal of moving the cows every 12 to 24 hours. But some of our valley topography is so challenging that this would be prohibitive. So the 12 to 24 hours is a goal/guide. This type of flexibility needs to be available.
- I have always pastured my cattle, but not in a rotational manner. I maintain my pasture by mowing it twice a year, putting calcium on it, and repairing heavily used areas. My feeling is that I'm pasturing my cattle, not just a dry lot. I grow very healthy and high quality feed stuffs, and produce very healthy and high quality milk and cattle. Some people forget that you can produce feed and high quality products without being a rotational grazer. Telling an organic dairy farmer that you are doing a good job with your cows, feeding good quality organic feed and producing high quality milk and meat, but, it's not good enough, you "Have to pasture X amount," is like telling you, Dave, or your field inspectors you must spend exactly X amount of hours either at your desk or out on farm inspections, even if that isn't your most productive way of doing your job. I'm proud to be an organic producer. I'm organic because I believe in not using drugs on cattle and not using chemicals on my crops. I didn't become organic because I wanted to rotational graze. Thanks for the opportunity to express my feelings and concerns.
- If I would have to put more land in pasture, the remaining land would have to be used for all forage crops. I would have to buy all my grain inputs. At the present cost of grain, I do not wish to purchase all my grain at the current price.
- I believe most organic farmers are honestly trying to comply with the rules but due to the sinful nature of man, there are a few trying not to comply and to find all the loopholes to get around the obvious intent of the rule. All loopholes need to be closed but care should

be taken so as not to make it too difficult for honest organic farmers to comply. At present, I don't think I would have any compliance problems, but if I ever expanded to 70+ cows, it would probably become an issue.

- I feel that it is necessary to have a new pasture requirement without loopholes for large confinement operations. However, all organic producers cannot be required to have an intensive grazing operation. Organic food is in short supply now and is hard to find. I think we need to find a happy medium so as not to eliminate small family farms with limited land.

- My farm is flat and gets extremely muddy after rain. So, I have to take the cattle off the pasture or they will totally ruin it! Plus, I think pasture takes more management. I'd throw the 30% dry matter out. It's too hard to control that figure on everybody's farm, plus cows are fed organically raised feed the rest of the year, anyway. And when temperatures reach 90 degrees or higher, cows are better off in the barn with wind tunnel ventilation, because they will not eat!